

## Landscape Referral Response

<b>Application Number:</b>	DA2021/0447
<b>Date:</b>	05/05/2021
<b>Responsible Officer:</b>	Ashley Warnest
<b>Land to be developed (Address):</b>	Lot 4 DP 30282 , 12 Philip Road MONA VALE NSW 2103

### Reasons for referral

This application seeks consent for the following:

- Construction / development works within 5 metres of a tree or
- New residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- Mixed use developments containing three or more residential dwellings.
- New Dwellings or

### Officer comments

This application is for the construction of a new secondary dwelling at the rear of an existing residential property.

Councils Landscape Referral section has considered the application against the Pittwater Local Environment Plan, and the following Pittwater 21 DCP controls:

- B4.22 Preservation of Trees and Bushland Vegetation
- C1.1 Landscaping
- D9.11 Landscaped Area - Environmentally Sensitive Land

A Landscape Plan is provided with the application and proposed works include the in-ground planting of shrubs and groundcovers.

The Statement of Environmental Effects provided with the application notes that existing vegetation is retained and enhanced to visually reduce the built form. This statement is partially supported by other documents provided as majority of vegetation appears to be retained, however it does appear tree removal is proposed to take place on site. It is worth noting the existing site supports a variety of existing vegetation with both exotic and native species present.

The Architectural Plans provided indicate the removal of three trees, identified as Trees No. 8, 9 and 10 in the Arboricultural Impact Assessment, all of which located towards the rear of the site lining both the north-east boundary and the south-east boundary. In contrast, the Landscape Plans provided appear to indicate the removal of three trees, however these have been identified as Trees No. 8, 10 and 11.

In order to assess trees proposed for removal and retention, an Arboricultural Impact Assessment has been provided which has identified a total of twelve trees located within the rear of the site, three of which are located in the neighboring properties. It is noted additional trees are located towards the front of the site however no works are proposed in this location, hence these have not been assessed. The Tree Assessment Schedule provided with the application notes only one tree is to be removed, Tree No. 10, however in the Tree Location and Management Plan, it appears four trees are proposed for

removal, Trees No. 8, 9, 10 and 11. Trees No. 8, 9 and 10 are exempt species and therefore do not require Council's approval prior to being removed. Tree No. 11 however, is a large significant native tree, which is required to be retained as the removal of this tree would not be supported. It is also vital to ensure this tree is protected throughout development as any damage to the short-term and long-term health of this tree would similarly not be supported. It is recommended that the Arboricultural Impact Assessment and associated plans be updated to all convey similar information regarding trees to be removed and retained.

As Tree No. 11 is required to be retained, concern is raised regarding the proposed works as they appear to encroach well within the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) of this tree. The proposal seeks to remove the existing retaining wall within the TPZ of Tree No. 11, and reconstruct a new retaining wall as per the Arboricultural Impact Assessment. It is however unclear on the Architectural and Landscape Plans as to where this wall is located, and how it is proposed to be constructed. It is preferred that all works within the TPZ of this tree be constructed on pier footings, with strip footings avoided. Further concern is raised as the proposed alfresco deck is proposed within the SRZ of this tree, which has the potential to compromise the structural integrity of this tree. It is noted that the existing site exhibits level change in this area, however the extent of works appears to encroach into the garden area in which this tree sits. Any changes in levels in this area could pose a risk to this tree. It is therefore recommended that a tree root investigation take place at the outer edge of proposed works, ensuring no significant roots will be impacted. Should significant roots be found, it is recommended that an alternative design be sought as the removal of this tree shall not be supported.

The retention of this tree, as well as other trees noted for retention, is vital to satisfy control B4.22, as key objectives of this control include "to effectively manage the risks that come with an established urban forest through professional management of trees", "to protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities", as well as "to protect and enhance the scenic value and character that trees and/or bushland vegetation provide".

The implementation of landscape works as proposed on the Landscape Plans, as well as the retention of existing trees and vegetation is also necessary to satisfy control C1.1 and D9.11, as key outcomes of these controls seek to ensure "the bulk and of the built form is minimised", as well as the "conservation of natural vegetation and biodiversity".

The landscape component of the proposal is therefore not supported due to the potential impacts of the proposed works on Tree No. 11, a significant locally native canopy tree. It is recommended that a tree root investigation take place in order to understand the potential impacts of the development on this tree, as the removal or damage to its health would not be supported. Should significant roots be present, an alternative design should be sought ensuring all works are clear of the SRZ of this tree. It is also recommended that the Architectural and Landscape Plans be updated to show the proposed retaining wall, as well as show the same trees proposed for removal.

Upon receipt of the required documentation, further assessment can be made.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

#### **Recommended Landscape Conditions:**

Nil.